

REMARKS

Claim 1 and 10 have been amended. Claims 43-52 have been added. Claims 7 and 9 have been canceled. Thus, Claims 1-5, and 10-52 are pending in this application.

I. Claim Rejection under 35 U.S.C. §112

The Examiner rejected claims 2 and 26 under 35 U.S.C. §112 as failing to comply with the written description requirement. The Examiner stated that the specification does not provide an adequate description for “a pair of handles movably mounted to the body of the tool with one handle being secured to the body.” Applicant respectfully disagrees. The Examiner refers to limitations which are not claimed. Claims 2 and 26 refer to “the other anvil” and not to a handle. The limitation that the other handle is secured to the body is disclosed on page 5, paragraph [0021], line 4 as well as in all figures. Thus, Applicant believes that these claims are well supported and also allowable.

I. Claim Rejection under 35 U.S.C. §102

The Examiner rejected claims 2 and 26 under 35 U.S.C. §102(b) as being anticipated by Malagnoux. However, the Examiner also indicated that claims 9, 13-17, and 21 would be allowable if rewritten in independent form. Thus, Applicant amended claim 1 to include the limitations of former independent claim 1 and dependent claims 7 and 9. Former dependent claims 7 and 9 have been canceled.

Furthermore, a new independent claim 43 has been included which contains the limitations of former independent claim 1 and dependent claims 7, 10, 11 and 13. New dependent claims 44-48 have been added which correspond to former dependent claims 12, and 14-17, respectively.

Finally, a new independent claim 49 has been included which contains the limitations of former independent claim 1 and dependent claims 18, 19 and 21. New dependent claims 50-52 have been added which correspond to former dependent claims 20, 22 and 23, respectively.

Thus, Applicant believes that all pending claims are now allowable.

SUMMARY

In light of the above remarks, reconsideration and withdrawal of the outstanding rejection is respectfully requested. It is further submitted that the application is now in condition for allowance and early notice of the same is earnestly solicited. Should the Examiner have any questions, comments or suggestions in furtherance of the prosecution of this application, the Examiner is invited to contact the agent of record by telephone or facsimile.

Applicants do not believe that any other fees are due at this time; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to this document, the Commissioner is authorized to deduct the fees from Deposit Account No. 02-0383, (*formerly Baker & Botts, L.L.P.*,) Order Number 075200.0101.

Respectfully submitted,
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